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PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/820,169	
	Filing Date	6 April 2004	
	First Named Inventor	FAUL, John L.	
	Art Unit	3761	
	Examiner Name	DEAK, Leslie R.	
Total Number of Pages in This Submission	46	Attorney Docket Number	S03-013/US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Cover letter (1 page); IDS Reference No. 18 (41 pages); return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Bell & Associates		
Signature			
Printed name	Matthew Kaser		
Date	15 May 2007	Reg. No.	44,817


CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Matthew Kaser	Date	15 May 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service with sufficient postage as First Class Mail under 37 CFR § 1.8, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 15 May 2007

Signed: 
Printed: Matthew Kaser

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: FAUL, John L., et al.

Title: IMPLANTABLE ARTERIO-VENOUS SHUNT DEVICE

Serial No.: 10/820,169

Filing Date: 6th April, 2004

Examiner: DEAK, Leslie R.

Group Art Unit: 3761

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §1.97
and §1.98

Dear Sir:

Applicant herewith submits an Information Disclosure Statement (IDS) under the provisions of 37 CFR § 1.97 (b)(1) and § 1.98 in the above-referenced utility patent application. Applicant herewith encloses a copy of reference No 18 (WO 2004/091696 A1).

Applicant believes that, since this IDS has been filed at the USPTO prior to a Final Office action on the merits of the claimed invention, a fee of \$180 is due under 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to debit the fee of \$180 from **Bell & Associates Deposit Account No. 50-3194**.

05/21/2007 SFELEKE1 00000007 503194 10820169
01 FC:1806 180.00 DA

Respectfully submitted,

Date: 15th May, 2007

Bell & Associates
416 Funston Ave., Ste 100
SAN FRANCISCO CA 94118

By: 

Matthew R. Kaser, D.Phil.
Registration No. 44,817
Direct Telephone: (510) 537-2040



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2007

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/820,169
Filing Date	6 April 2004
First Named Inventor	FAUL, John L.
Examiner Name	DEAK, Leslie R.
Art Unit	3761
Attorney Docket No.	S03-013/US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
_____ - 20 or HP = _____	x _____	= _____		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20.				
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	
_____ - 3 or HP = _____	x _____	= _____		
HP = highest number of independent claims paid for, if greater than 3.				

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	<u>Fees Paid (\$)</u>
Other (e.g., late filing surcharge): IDS filed before Final Office Action under 37 CFR 1.17(p)	180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 44,817	Telephone (510) 537-2040
Name (Print/Type)	Matthew Kaser		Date 15 May 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (04-07)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/820,169
Filing Date	6 April 2004
First Named Inventor	FAUL, John L.
Art Unit	3761
Examiner Name	DEAK, Leslie R.
Attorney Docket Number	S03-013/US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 3,882,862	05-13-1975	Berend, Olga	Entire document
	2	US- 5,108,420	04-28-1992	Marks, Lloyd A.	Entire document
	3	US- 5,830,222	11-03-1998	Makower, Joshua	Entire document
	4	US- 5,830,224	11-03-1998	Cohn, William & Kim, Ducksoo	Entire document
	5	US- 6,099,542	08-08-2000	Cohn, William & Kim, Ducksoo	Entire document
	6	US- 6,451,048	09-17-2002	Berg, Todd Allen & Hindrichs, Paul	Entire document
	7	US- 6,579,311	06-17-2003	Makower, Joshua	Entire document
	8	US- 6,669,709	12-30-2003	Cohn, William & Kim, Ducksoo	Entire document
	9	US- 6,695,878	02-24-2004	McGurkin & Brigante	Entire document
	10	US- 6,746,426	06-08-2004	Flaherty & Lamson	Entire document
	11	US- 6,746,464	06-08-2004	Makower, Joshua	Entire document
	12	US- 6,827,698 B1	12-07-2004	Kleinekofort, Wolfgang	Entire document
	13	US- 6,926,690	08-09-2005	Renati, Richard J.	Entire document
	14	US- 7,011,094	03-14-2006	Rapacki & Barrett	Entire document
	15	US- 7,056,326	06-06-2006	Bolduc, Lee R., et al.	Entire document
	16	US- 2004/0249335	12-09-2004	Faul, John L. et al.	Entire document
	17	US- 2005/0107733	05-19-2005	Faul, John L. et al.	Entire document
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
	18	PCT/US2004/010700	10-28-2004	Stanford University/Faul	Entire document	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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